

above-named product at Jacksonville, Fla., alleging that the article had been shipped on or about March 24, 1944, from St. Louis, Mo., by the S. Pfeiffer Manufacturing Co.

Examination showed that the article was a brown liquid consisting essentially of water, alcohol (3.48 percent), and small amounts of plant extractives.

The article was alleged to be misbranded in that the name "Pep-Em-Up" and the following statements in its labeling were false and misleading: (Bottle label) "Stomachic and Stimulant to The Appetite"; (carton) "If this preparation is used according to directions, it will give beneficial results for the purposes or conditions for which it is recommended. The ingredients of this preparation are well and favorably known as meritorious and effective in conditions or for the purposes for which the preparation is recommended. * * * The formula * * * should prove beneficial if used according to instructions." The article would not be capable of fulfilling the promises of benefit stated and implied.

On August 4, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1484. Misbranding of 606 System Tonic. U. S. v. 100 Bottles and 16 Bottles of 606 System Tonic. Default decrees of condemnation and destruction. (F. D. C. Nos. 14030, 14031. Sample Nos. 68147-F, 68149-F.)

On October 13 and 17, 1944, the United States attorney for the Northern District of Ohio filed libels against 116 bottles of 606 System Tonic at Cleveland, Ohio, alleging that the article had been shipped between the approximate dates of May 19 and August 24, 1944, by the Aetna Chemical Co., Detroit, Mich.

Examination of samples showed that the article consisted essentially of water, alcohol, potassium iodide, and extracts of plant drugs, including a laxative plant drug.

The article was alleged to be misbranded in that the statements which appeared on the label, "Double Strength 606 System Tonic * * * For Tired and Run Down Condition * * * a Spring and Fall Tonic," were false and misleading since the article would not be effective as a system tonic, as a "Spring and Fall Tonic," or for a tired and run-down condition; and it would not constitute a treatment for syphilis, as the name and numerals "606" implied.

On December 19 and 21, 1944, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

1485. Misbranding of Thujanoids Rectal Cones. U. S. v. 21 Cartons of Thujanoids Rectal Cones. Default decree of condemnation and destruction. (F. D. C. No. 13445. Sample No. 72897-F.)

On August 30, 1944, the United States attorney for the Northern District of California filed a libel against 21 cartons, each containing 2 dozen Thujanoids Rectal Cones, at San Francisco, Calif., alleging that the article had been shipped from New York, N. Y., by Akatos, Inc., on or about July 18, 1944.

Analysis showed that the article consisted essentially of mercurous iodide 0.138 grain per suppository, volatile oils, and extracts of plant drugs including hyoscyamus alkaloids.

The article was alleged to be misbranded in that the following statements on the leaflet in the cartons were false and misleading: "Prostatic Rectal Cones * * * for the purpose of relieving the distressing symptoms of enlarged Prostate Gland. * * * The treatment should be continued for at least six months. * * * In severe cases * * *. A marked recession, in the size of the gland, will be noted. * * * The early use of this treatment gives marked relief, and in many cases will avert the necessity of a prostatectomy; or of the distressing punch operation." The article would not be effective in the treatment of prostatic conditions. It was alleged to be misbranded further in that its label failed to state the quantity of mercurous iodide and hyoscyamus alkaloids present in the article.

On April 2, 1945, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1486. Misbranding of Esscolloid Detergent. U. S. v. 56 Packages of Esscolloid Detergent and All Labeling and Accompanying Circulars. Default decree of destruction. (F. D. C. No. 14420. Sample No. 87377-F.)

On November 15, 1944, the United States attorney for the District of Minnesota filed a libel against 56 packages of Esscolloid Detergent, including all labeling and accompanying circulars, at Minneapolis, Minn., alleging that the article had been shipped on or about October 10, 1944, by the Esscolloid Company, Inc., from New York, N. Y.

Examination of a sample disclosed that the article consisted essentially of material derived from psyllium seed and magnesium trisilicate.

The article was alleged to be misbranded in that certain statements on its labels and in the accompanying circulars entitled "Esscolloid Detergent" were false and misleading since they represented and suggested that the article was a detergent (a cleansing agent); that it was a gastro-intestinal neutralizer; that it was effective in the treatment of ulcers, disorders of the stomach, including gastric pain and distress, indigestion, inflammation, and bleeding; that it was effective in restoring loss of appetite and in overcoming nausea and bowel irritability; and that it was effective in improving digestive function and intestinal muscular weakness and in the treatment of constipation and the conditions resulting from faulty diet or overindulgence. The article was not a detergent; it was not a gastro-intestinal neutralizer; and it was not effective for the purposes stated and implied.

On February 14, 1945, no claimant having appeared, judgment was entered ordering that the product and all labeling be destroyed.

1487. Misbranding of Dr. Ledoux's Canadian Cough Syrup. U. S. v. 436 Bottles of Dr. Ledoux's Canadian Cough Syrup. Default decree of condemnation and destruction. (F. D. C. No. 14014. Sample No. 88434-F.)

On October 9, 1944, the United States attorney for the District of New Hampshire filed a libel against 436 bottles of the above-named product at Berlin, N. H., alleging that the article had been shipped on or about September 11, 1944, by the R. E. Marier Medicine Co., from Westbrook, Maine.

Examination showed that the article consisted essentially of sucrose and water with alcohol 0.3 percent, flavoring materials such as menthol and capsicum, a brown color, and an oily material. The article did not contain maple sugar, glycerine, or lemon juice; and it contained not more than a trace, if any, of honey.

The article was alleged to be misbranded because of false and misleading statements in its labeling regarding its efficacy in the relief of coughs, colds, sore throat, grippe, and after-cold effects. It was alleged to be misbranded further in that the label statement, "Ingredients are as follows: Maple Syrup, Honey, * * * Glycerine * * * Lemon Juice, 3½% Alcohol," was false and misleading.

On November 28, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1488. Misbranding of Ritamine Vitamin and Mineral Capsules. U. S. v. 937½ Dozen Boxes of Ritamine Vitamin and Mineral Capsules and 9 Packages of Booklets. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14336. Sample Nos. 73761-F, 73762-F.)

On November 2, 1944, the United States attorney for the Southern District of California filed a libel against 937½ dozen boxes (various sizes) of Ritamine Vitamin and Mineral Capsules at Los Angeles, Calif., and 9 packages, each containing 300 copies, of a booklet entitled "Health Topics," which accompanied the article. It was alleged in the libel that the capsules were shipped between the approximate dates of January 26 and July 25, 1944, by the American Dietaids Co., Inc., from Yonkers, N. Y.

The article was alleged to be misbranded in that certain statements in the labeling were misleading. It was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods, No. 7916, in which are set forth in full the results of analyses, and the misleading statements referred to above.

On February 6, 1945, the American Dietaids Co., Inc., having admitted the allegations of the libel, and the case having been removed to the Eastern District of New York pursuant to agreement, judgment of condemnation was entered and it was ordered that the booklets be destroyed and that the remaining merchandise be released under bond for relabeling under the supervision of the Food and Drug Administration.

1489. Misbranding of Major Brand B Complex Vitamin Tablets. U. S. v. 15 Cases of Major Brand B Complex Vitamin Tablets. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 14398. Sample No. 80439-F.)

On November 8, 1944, the United States attorney for the Eastern District of Missouri filed a libel against 15 cases of the above-named product at St. Louis, Mo., alleging that the article had been shipped on or about July 24 and September 13, 1944, from New York, N. Y., by Major Vitamins, Inc.